

REGULAR CITY COUNCIL MEETING  
APRIL 10, 1989

PRESENT

Ruth Hansen	Mayor
Wesley J. Bloomfield	Council Member
Gayle Bunker	Council Member
David Church	Council Member
Don Dafoe	Council Member
Rex T. Harris	Council Member

ABSENT

None

OTHERS PRESENT

Dorothy Jeffery	City Recorder
Richard Waddingham	City Attorney
Neil Forster	Public Works Director
Paul Mitchell	Police Officer
Charles Ervin	
Bill Pollock	
Hugh Loukinos	
Loui Cloward	
Lynda Ashcraft	City Resident
Diane Stewart	
Geno Zwaryck	Central Utah Mental Health
Connie Tolbert	
C.B. Tolbert	
Vinscent R. Crawford	Utah Power & Light Co.
Bryce Ashby	Fire Chief
Roger Killpack	Delta Chamber of Commerce
Jerry Reagan	Millard County Building Inspector
Jim Pendray	
Dan Piacitelli	Western Boys Baseball Association
Justin Piacitelli	
Brandon Piacitelli	
Robert Pendray	
H. Doyle Bender	City Treasurer

Mayor Hansen called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Hansen stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, the local radio station, KNAK, and to each member of the City Council by personal delivery two days prior to the meeting.

MINUTES

The proposed minutes of a regular City Council meeting held March 27, 1989, were presented for consideration and approval. The Council reviewed the minutes briefly and proposed corrections. Council Member David Church MOVED that the minutes be approved as corrected. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Don Dafoe MOVED that the accounts payable be approved for payment as listed in the amount of \$23,341.02. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

ROBERT DROUBAY, PLANNING COMMISSION CHAIRMAN: ISSUANCE OF  
CONDITIONAL USE PERMIT TO KAYE'S HAIR CARE

In view of Robert Droubay's absence, Mayor Hansen asked Zoning Official Neil Forster to address the Council.

Mr. Forster said that he, Planning Commission Chairman Robert Droubay and Attorney Waddingham met and determined that Kaye's Hair Care should submit application for a Variance for her In-Home business rather than a Conditional Use Permit. Mr. Forster said that he would contact Kaye Niles and inform her of the correct procedure to follow.

MAYOR RUTH HANSEN: DELTA CITY EMPLOYEE HEALTH INSURANCE FOR  
FISCAL YEAR 1989-1990

Mayor Hansen asked the Council for their recommendations regarding Health Insurance for Delta City employees for FY 1989-1990.

The Council Members concurred that employee Health Insurance would be considered at the time of budget work sessions.

GENO ZWARYCK, CENTRAL UTAH MENTAL HEALTH: REQUEST FOR  
SPONSORSHIP TO UNIVERSITY OF UTAH SCHOOL ON ALCOHOLISM AND DRUGS

Mayor Hansen reported that Delta City has funding available to sponsor one person to attend the University of Utah School on Alcoholism and Drugs.

Following brief discussion, Council Member David Church MOVED that Delta City provide funds for one person from Delta City to attend the University of Utah School on Alcoholism and Drugs. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

ATTORNEY RICHARD WADDINGHAM: RESOLUTION REGARDING SETTLEMENT  
BETWEEN WESTERN AREA POWER ADMINISTRATION (WAPA) & UTAH POWER AND  
LIGHT CO.

Mayor Hansen asked Attorney Richard Waddingham to present a proposed resolution authorizing settlement of legal action against Western Area Power Administration (WAPA).

Attorney Waddingham presented the following resolution entitled:

RESOLUTION NO. 89-181

A RESOLUTION AUTHORIZING SETTLEMENT OF LEGAL ACTION  
AGAINST THE WESTERN AREA POWER ADMINISTRATION, AMONG  
OTHERS

Following discussion, Council Member Don Dafoe MOVED to adopt Resolution No. 89-181. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a roll call vote. The voting was as follows:

Council Member Wesley Bloomfield	Yes
Council Member Gayle Bunker	Yes
Council Member Don Dafoe	Yes
Council Member David Church	Yes
Council Member Rex Harris	Yes

Mayor Hansen then signed the resolution and it was attested by City Recorder Dorothy Jeffery.

ATTORNEY RICHARD WADDINGHAM: ORDINANCE ADOPTING ZONE CHANGE FROM  
RR TO A10 - MILLARD COUNTY FAIR GROUNDS

Mayor Hansen asked Attorney Richard Waddingham to discuss a proposed zone change for the Millard County Fair Grounds.

Attorney Waddingham informed the Council that he, Public Works Director Neil Forster and Planning Commission Chairman Robert Droubay met and determined that an A10 Zone for the Millard County Fair Grounds was incorrect and should be rezoned from a Rural Residential (RR) Zone to a Public/Quasi-Public (PQP) Zone.

Attorney Waddingham recommended that the current zoning ordinance be amended to allow Fair Grounds under a Conditional Use Permit in a PQP Zone and then adopt a zone change from RR to PQP. The Planning Commission should recommend an amendment to the zoning ordinance.

This item was tabled until the next regular City Council meeting.

DELTA CITY'S ANNUAL SPRING CLEAN-UP

Mayor Hansen reported that Roger Killpack, Delta Chamber of Commerce, is proceeding with the advertising for Delta City's Annual Spring Clean-Up, which is to be held the last two weeks of April. The City Public Works Department will aide in picking up refuse that is set out in the City streets.

Roger Killpack recommended that some type of award or recognition be given to individuals in various "clean-up" categories as an incentive to clean up and improve their property.

ATTORNEY RICHARD WADDINGHAM: NON-RESIDENT CONTRACTORS BUSINESS LICENSE REQUIREMENTS

Mayor Hansen asked Attorney Richard Waddingham to report on the business license requirements for non-resident contractors.

Attorney Waddingham said that he has not received any information regarding the 1989 Senate version of the Non-Resident Contractor business license requirements, in which non-resident contractors are required to license with the State and in their principal place of business.

Council Member David Church recommended that Attorney Waddingham prepare an amendment to the Delta City Ordinances regarding non-resident contractors business license requirements, if he determines that the Senate Bill is effective.

COUNCIL MEMBER REX HARRIS: SALARY INCREASE FOR FIRE CHIEF BRYCE ASHBY

Mayor Hansen asked Council Member Rex Harris to discuss a salary increase for Fire Chief Bryce Ashby.

Councilman Harris recommended that this item be discussed during budget work sessions.

ATTORNEY RICHARD WADDINGHAM: RECOMMENDATION REGARDING DELTA CITY'S CABLE TELEVISION ORDINANCE AS IT RELATES TO A RATE INCREASE

Mayor Hansen asked Attorney Richard Waddingham to make a recommendation regarding Delta City's Cable Television ordinance as it relates to a rate increase.

Attorney Waddingham reported that he had reviewed the Federal Statute as well as Delta City's ordinance regarding Cable Television and determined that Insight Cable Television has the right to increase their user rates, without the need for a public hearing or permission from the governing body, as previously required by Delta City ordinances.

DAN PIACITELLI, WESTERN BOYS BASEBALL ASSOCIATION: PROPOSAL FOR LITTLE LEAGUE TO USE NEIGHBORHOOD PARK

Mayor Hansen asked Dan Piacitelli to address the Council.

Dan Piacitelli, Western Boys Baseball Association (Little League), proposed that the City Council allow the Neighborhood Park to be used for Little League baseball games. Mr. Piacitelli requested permission to upgrade the existing field, to make the north end of the park into a field, to place backstops, scoreboards, bleachers, temporary home run fences, etc. in the park. Mr. Piacitelli said that the above improvements could be done at no cost to the City.

Following brief discussion, Council Member Don Dafoe MOVED to authorize the Western Boys Baseball Association to pursue, under the direction of Neil Forster, the upgrading of the Neighborhood Park and installation of another field on the north end of the park. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

JIM PENDRAY: PROPOSAL TO DEDICATE TOPAZ BLVD. TO DELTA CITY & PROPOSAL FOR DELTA CITY TO ASSUME RESPONSIBILITY OF SEWER AND WATER LINE WITHIN PENDRAY PLAZA (FROM LIFT STATION TO HARTS)

Mayor Hansen asked Jim Pendray to present a proposal to the Council.

Jim Pendray said that he is in the process of selling Pendray's private properties at Pendray Plaza and proposed that Delta City accept and maintain Topaz Boulevard and the water and sewer easements that are underneath Topaz Blvd. Mr. Pendray said that the road is a benefit to the City of Delta and is used by many City residents.

The Council discussed the condition of the road, the repairs needed and who would be responsible for those repairs.

Following discussion, Council Member Don Dafoe MOVED to appoint Neil Forster to negotiate with Jim Pendray the proposed dedication of Topaz Boulevard to Delta City, also the water and

sewer and stormdrain easements; and, that he also investigate the cost for upgrading that street to Delta City standards and bring back to the Council for final approval. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

ROBERT PENDRAY: AMENDMENT TO PLAT N, PENDRAY SUBDIVISION

Mayor Hansen asked Robert Pendray to address the Council.

Robert Pendray asked the Council to consider and amendment to Plat N of the Pendray Subdivision which would reduce the number from four lots to two.

Several people were in attendance to express their concerns about the subdivision. Some of the concerns expressed were regarding adequate drainage, weed control, open basement, and fencing around the subdivision.

Mr. Pendray said he would spray the weeds and would install a fence around the open basement.

Following discussion, Council Member Gayle Bunker MOVED to table discussion of Plat N in order for the City Council to look at the area involved and determine what would be the best action to take. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions. There being none, she called for a vote. The motion passed unanimously.

PUBLIC WORKS DIRECTOR NEIL FORSTER: REQUEST FOR PAYMENT - VALLEY ASPHALT

Mayor Hansen asked Public Works Director Neil Forster to present a payment request for Valley Asphalt.

Neil Forster presented Partial Payment Request #1 for J.M. Sumsion And Sons (Valley Asphalt) in the amount of \$25,530.66 for work done on the Airport Improvement Project.

Following brief discussion, Council Member Don Dafoe MOVED to authorize payment to Valley Asphalt in the amount of \$25,530.66. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

OTHER BUSINESS

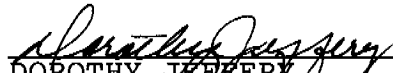
Council Members were given a copy of tentative budgets prepared by the department heads. These were for Council's review. There was no discussion or action taken.

There was brief discussion regarding Delta City's Liability Insurance for 1989-1990. Councilman Church said he would contact Rex Day, Day-Leavitt Insurance, to see if they would be interested in bidding.

Discussion was held regarding the Millard County Fair Grounds zone change. Attorney Waddingham was instructed to research procedure for setting a public hearing date regarding the zone change.

Mayor Hansen asked if there were any further comments, questions or items to be discussed. There being none, Council Member David Church MOVED to adjourn. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously. Mayor Hansen declared the meeting adjourned at 9:10 p.m.

  
RUTH HANSEN, Mayor

  
DOROTHY JEFFERY  
Delta City Recorder

MINUTES APPROVED: RCCM 4-24-89